**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention	APPARATUS AND METHODS FOR DEPLOYMENT OF VASCULAR PROSTHESES
As the below named inventor(s), I/we declare that:	
This declaration is directed to:	
<input type="checkbox"/> The attached application, or	
<input checked="" type="checkbox"/> Application No. 10/637713, filed on August 8, 2003,	
<input type="checkbox"/> as amended on _____ (if applicable);	
I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;	
I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;	
I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.	
All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.	

FULL NAME OF INVENTOR(S)			
Inventor 1	STEVE LANDREVILLE	Date:	1/5/04
Signature:		Citizen of:	United States
Inventor 2	BERNARD ANDREAS	Date:	1/5/04
Signature:		Citizen of:	United States
Inventor 3	PABLO ACOSTA	Date:	1/5/04
Signature:		Citizen of:	United States
Inventor 4	SUNMI CHEW	Date:	1/5/04
Signature:		Citizen of:	United States
<input type="checkbox"/> Additional inventors are being named on		additional form(s) attached hereto.	

This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1 minute to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 260049524 v1



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**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: LANDREVILLE et al.Application No./Patent No.: 10/637,713 Filed/Issue Date: 08/08/03Entitled: APPARATUS AND METHODS FOR DEPLOYMENT OF VASCULAR PROSTHESESXTENT, INC.., a DELAWARE CORPORATION  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1.  the assignee of the entire right, title, and interest; or
2.  an assignee of an undivided part interest

in the patent application/patent identified above by virtue of either:

A.  An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B.  A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:1. From: \_\_\_\_\_ To : \_\_\_\_\_  
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[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.8]

The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the assignee.

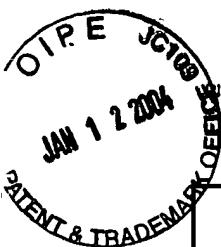
1/5/04  
Date  
SignatureBERNARD ANDREAS

Typed or printed name

ENGINEERING DIRECTOR

Title

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



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PTO/SB/81 (02-01)

Approved for use through 10/31/2002. OMB 0651-0035  
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## POWER OF ATTORNEY OR AUTHORIZATION OF AGENT

Application Number	10/637,713
Filing Date	August 8, 2003
First Named Inventor	LANDREVILLE et al.
Title	APPARATUS AND METHODS FOR DEPLOYMENT OF VASCULAR PROSTHESIS
Group Art Unit	Unassigned
Examiner Name	Unassigned
Attorney Docket No.	021629-000340US

I hereby appoint:

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20350

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Practitioner(s) named below:

Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

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The above-mentioned Customer Number.

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Firm or  
Individual Name

MARK D. BARRISH

Address

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Country

Telephone

Fax

I am the:

Applicant/Inventor.

Assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

### SIGNATURE of Applicant or Assignee of Record

Name      Bernard Andreas, Engineering Director

Signature     

Date      1/5/04

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below\*.

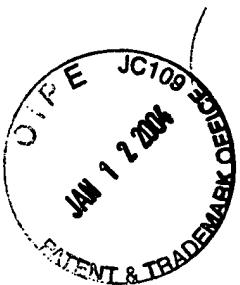
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60043547 v1

\* \* \* COMMUNICATION RESULT REPORT ( JAN. 8.2004 3:46PM ) \* \* \*

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Atty Docket No. 021629-000340US

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Group Art Unit: 3731

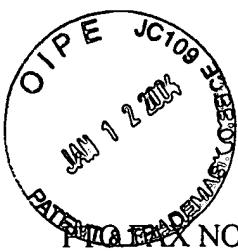
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I hereby certify that the following document(s) in re Application of LANDREVILLE et al. Application No. 10/637,713, filed August 8, 2003 for APPARATUS AND METHODS FOR DEPLOYMENT OF VASCULAR PROSTHESES is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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ATTENTION: ASSIGNMENT BRANCH  
TELEPHONE NO.: (703) 308-9723

Group Art Unit: 3731

**OFFICIAL COMMUNICATION**  
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**ASSIGNMENT BRANCH**

**CERTIFICATION OF FACSIMILE TRANSMISSION**

I hereby certify that the following document(s) in re Application of LANDREVILLE et al. Application No. 10/637,713, filed August 8, 2003 for APPARATUS AND METHODS FOR DEPLOYMENT OF VASCULAR PROSTHESES is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

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JODIE M. RIVAS

Document(s) Attached

1. RECORDATION FORM COVER SHEET
2. ASSIGNMENT OF PATENT APPLICATION

*PLEASE CONFIRM RECEIPT OF THIS PAPER BY  
RETURN FACSIMILE AT (415) 576-0300*

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, 8th Floor  
San Francisco, CA 94111-3834  
Telephone: 650-326-2400  
Fax: 650-326-2422

Form PTO-1595

(Rev. 10-02)

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To the Honorable Commissioner of Patents and Trademarks. Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

Steve Landreville, Bernard Andreas, Pablo Acosta  
and Sunmi Chew

Additional name(s) of conveying party(ies) attached?  Yes  No.

3. Nature of conveyance:

 Assignment Merger Security Agreement Change of Name Other:Execution Date: January 5, 2004

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s): 10/637,713

B. Patent No(s):

Additional numbers attached?  Yes  No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Scott M. Smith, M.D.  
TOWNSEND AND TOWNSEND AND CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
(415) 576-0200

6. Total number of applications and patents involved 17. Total fee (37 CFR 3.41): \$40.00 Enclosed Authorized to be charged to deposit account8. Deposit account number: 20-1430

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature.

*To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.*

Scott M. Smith, M.D.  
Name of Person Signing  
Atty. Reg. No. 48,268

Signature

Date

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Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
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## ASSIGNMENT OF PATENT APPLICATION

JOINT

WHEREAS, STEVE LANDREVILLE of ; BERNARD ANDREAS of 633 California Way, Redwood City, CA 94062; PABLO ACOSTA of 8272 Rinconada Ct., Newark, CA 94062; SUNMI CHEW of 1599 Martin Avenue, San Jose, CA 95126 hereinafter referred to as "Assignors," are the inventors of the invention described and set forth in the below-identified application for United States Letters Patent:

Title of Invention: APPARATUS AND METHODS FOR DEPLOYMENT OF VASCULAR PROSTHESES

Date(s) of execution of Declaration:

Filing Date: August 8, 2003

Application No.: 10/637713; and

WHEREAS, XTENT, INC., a corporation of the state of Delaware, located at 604-D Fifth Avenue, Redwood City, CA, 94063, hereinafter referred to as "ASSIGNEE," is desirous of acquiring an interest in the invention and application and in any U.S. Letters Patent and Registrations which may be granted on the same;

For good and valuable consideration, receipt of which is hereby acknowledged by Assignors, Assignors have assigned, and by these presents do assign to Assignee all right, title and interest in and to the invention and application and to all foreign counterparts (including patent, utility model and industrial designs), and in and to any Letters Patent and Registrations which may hereafter be granted on the same in the United States and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention. The right, title and interest is to be held and enjoyed by Assignee and Assignee's successors and assigns as fully and exclusively as it would have been held and enjoyed by Assignors had this Assignment not been made, for the full term of any Letters Patent and Registrations which may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

Assignors further agree that they will, without charge to Assignee, but at Assignee's expense, (a) cooperate with Assignee in the prosecution of U.S. Patent applications and foreign counterparts on the invention and any improvements, (b) execute, verify, acknowledge and deliver all such further papers, including patent applications and instruments of transfer, and (c) perform such other acts as Assignee lawfully may request to obtain or maintain Letters Patent and Registrations for the invention and improvements in any and all countries, and to vest title thereto in Assignee, or Assignee's successors and assigns.

Assignors hereby authorize and request Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8<sup>th</sup> Floor, San Francisco, CA 94111-3834, to insert herein above the application number and filing date of said application when known.

IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Dated: 1/5/04



STEVE LANDREVILLE

Dated: 1/5/04



BERNARD ANDREAS

Dated: 1/5/04



PABLO ACOSTA

Dated: 1/5/04



SUNMI CHEW